

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MUNCHKIN, INC.,

Plaintiff,

v.

TOMY INTERNATIONAL, INC.

Defendant.

Case No. 1:18-cv-6337

**DEFENDANT TOMY INTERNATIONAL, INC.'S RENEWED MOTION  
FOR JUDGMENT AS A MATTER OF LAW  
OR, IN THE ALTERNATIVE, A NEW TRIAL**

Defendant TOMY International, Inc. ("TOMY"), by and through its undersigned counsel, hereby moves under Rule 50(b) of the Federal Rules of Civil Procedure to respectfully request that this Court enter judgment as a matter of law in TOMY's favor on Plaintiff Munchkin, Inc.'s ("Munchkin") claims for: (1) infringement of U.S. Patent No. D744,281 (the "'281 Patent"); (2) willful infringement of U.S. Patent No. 9,888,796 (the "'796 Patent") and the '281 Patent; (3) pre-issuance damages as related to the '796 Patent; (4) the calculation of profits to be disgorged for infringement of the '281 Patent; and (5) lost profits for infringement of the '796 Patent. After a full trial on each of these issues, the jury did not have a legally sufficient evidentiary basis to find in Munchkin's favor on any of the foregoing claims.

Notwithstanding the foregoing, and in the alternative, TOMY moves, under Rule 59 of the Federal Rules of Civil Procedure, for a new trial because the jury's verdict on each of the five issues listed above was against the manifest weight of the evidence.

This motion is further supported by TOMY's Memorandum in Support of its Renewed Motion for Judgment as a Matter of Law or, in the Alternative, a New Trial, filed contemporaneously herewith.

Accordingly, TOMY respectfully requests that the Court grant its Renewed Motion for Judgment as a Matter of Law or, in the Alternative, a New Trial.

Dated this 10<sup>th</sup> day of October, 2025.

HUSCH BLACKWELL LLP  
Attorneys for TOMY International, Inc.

By: /s/ Thomas P. Heneghan

Thomas P. Heneghan

Natalia S. Kruse

33 East Main Street, Suite 300

Madison, Wisconsin 53703

608.255.4440

608.258.7138 (fax)

[Tom.Heneghan@huschblackwell.com](mailto:Tom.Heneghan@huschblackwell.com)

[Natalia.Kruse@huschblackwell.com](mailto:Natalia.Kruse@huschblackwell.com)

Avery Hitchcock

511 N. Broadway, Suite 1100

Milwaukee, Wisconsin 53202

414.273.2100

414.223.5000 (fax)

[Avery.Hitchcock@huschblackwell.com](mailto:Avery.Hitchcock@huschblackwell.com)